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POSSIBLE POLITICAL CHANGES IN NAZI GERMANY IN THE NEAR FUTURE

Summary

(1) The reported establishment of a triumvirate composed of Göring, Keitel and Doenitz means the coordination of all activities, military and civilian, under military leadership. It implies the subordination of the Nazi Party to the military.

(2) It does not mean the creation of an agency for bargaining with the Western Powers or with Russia.

(3) It is, however, the first step in this direction. Since the present political system is utterly shapeless, it does not allow the establishment of a "constitutional" organ for dealing with the United Nations.

(4) It is likely, therefore, that in the near future the Reichstag will be convened to enact changes which attempt to make the regime acceptable to the United Nations without fundamentally changing it.

(5) Such changes are likely to be:

(a) the separation of chancellorship and presidency;

(b) the re-establishment of the Reichsrat as an Upper House and/or the reconstitution of the Cabinet and the Ministerial Council of the Reich, which will be overwhelmingly composed of military, industrialists, civil servants and clergymen.

(c) the legal subordination of the Nazi Party to the State.

(6) The new government will be aimed at a separate peace with the Western Powers or with Russia.

The social and political consequences of such or similar changes for the internal structure of Germany will be discussed in a future memorandum.

(1) It is certain that the German ruling groups have come to realize that the war is militarily lost. There may be Nazi groups which would like to die honorably rather than live in what they regard as shame and which, for this reason, would want to resort to desperate military measures, such as an all-out bombardment of England or an attack on the Middle East through Turkey. This is extremely unlikely. Quite apart from the fact that Germany's military capabilities are probably not adequate to carry out such measures of despair, they would certainly meet the determined resistance of the military, the industrialists, and the Junkers, who know that desperate measures would not only destroy Germany's military might but would also lead to their own complete destruction.

(2) If military measures thus do not offer an escape from certain military defeat, the only hope of Germany lies in the field of politics. It may not be an exaggeration to maintain that the political aspects of the war will henceforth tend to overshadow military operations, which would lead inexorably to the ultimate destruction of Germany's military machine. The problem therefore arises what political activities the German government is going to pursue in order to avoid utter political and military defeat. Two lines of strategy are open to the Germans. The one is to exploit political and social differences in each of the enemy countries, to utilize soft spots in each enemy country to undermine their morale and to help pro-German or anti-war elements into power. Germany

must realize that this is a hopeless endeavor. As to England, such hopes had to be abandoned at a very early stage of the war. In the Nazi anti-American strategy, hope was pinned on the election of a president who could be counted upon to conclude an early peace. But time is now too short to wait for the American elections, and it is certain that in their hearts the Nazis know that 1944 will again frustrate their expectations. The creation of the National Liberation Movement and the National Liberation Army under General Vlassov, the attempt to split the Ukrainians from the Russians have met with but little success and any hope to undermine the Russian home front will thus have to be abandoned. This does not mean that the Nazis will abandon their propaganda in this field. They will undoubtedly continue it for domestic consumption, but it is safe to assume that they realize the hopelessness of this kind of political strategy.

(3) There thus remains the second strategic approach, namely to split the United Nations and to make a negotiated peace with one or the other, either with Russia or with the Western Powers. This they may hope to achieve by demonstrating to the Western Powers, the danger of the Bolshevization of Europe and to Russia, the danger of an Allied intervention against Soviet Russia.

The German leadership, however, realizes that both Russia and the Western Powers have committed themselves not to deal with Hitler and the

Nazi Party. As a consequence, the German ruling groups are faced with the problem of finding a constitutional arrangement that would satisfy either Soviet Russia or the Allied Powers without actually destroying the basic features of the Nazi system. It is in this light that the news from Berlin (1) and Madrid must be evaluated. The Berlin report states that important discussions of a military and political nature have taken place at Hitler's headquarters and that Goering, Ribbentrop, Speer, Himmler, Goebbels and Bormann of the Nazi Party and Keitel, Doenitz, Milch, Jeschonnek, Zeitzler and Jodl of the military participated. The Japanese ambassador to Berlin was present and was received in the prescence of Keitel and Ribbentrop.

The Madrid report indicates that a triumvirate, composed of Keitel, Doenitz and Goering, has taken charge of all military and political affairs and that "powers of enormous magnitude" have been centered in the hands of Reichsmarshal Goering.

(4) It may be assumed that the latter report is essentially true. It would constitute, in the first place, an attempt to coordinate fully all military, political and economic activities by subordinating everything to the final consideration of defending the German-controlled Fortress.

It implies that Hitler recedes for the time being into the background and that the Nazi Party is transformed into an organ of this triumvirate.

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(1) FCC Berlin (Press in German to Europe, August 7, 1943), and Washington Post, August 9, 1943.

This triumvirate may be said to constitute a compromise between the armed forces and the Nazi Party. Goering, it must be remembered, is the only outstanding Nazi political figure who has no official post within the Nazi Party. He is a simple Party member - to be sure with great influence in the Party - but he is not a functionary of the Party or of any of its auxiliary organizations. He is above all not a Reichsleiter of the Party and may thus be said to be more useful than any other Nazi leader to an army leadership willing to sue for peace. It is known in addition that through the Goering Combine, Goering has mobilized the support of powerful industrial and financial leaders and that he has made it possible for them to participate in the economic spoliation of occupied Europe.

The factual subordination of the Nazi Party to the triumvirate has been made, no doubt, to alleviate the grumbling of the army and the people about the prerogatives and privileges enjoyed by the Party.(1)

(5) It may also have been intended that the triumvirate would be more acceptable to the United Nations than the system prevailing before. But the personnel of the triumvirate has been so closely connected with the Nazi Party that the United Nations will undoubtedly reject it as a bargaining partner. Keitel and Doenitz are far more men of Hitler than of the armed forces. Goering's name will be associated forever with the unleashing of air attacks on Great Britain, with the destruction of Rotterdam and Warsaw and with the economic spoliation of occupied Europe. He, as Hitler's

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(1) There is abundant evidence for that in Ps/W interrogations; see i.e. Secret 561/2/4, August 5, 1943; information obtained in the USA between 29 and 31 July 1943, and Roundups (Central European) No. 19, p.12; No. 18, pp.11 and 14; No. 16, p.13.

Delegate for the Four Year Plan, was and is responsible for this exploitation.(1)

It is even very unlikely that the triumvirate believes itself acceptable to the United Nations, the less so since Hitler and the Nazi Party are retained.

(6) The establishment of this triumvirate must be considered merely as a first step to further constitutional changes. The aim of future steps will be to create a system of government which would allow certain political changes with a minimum of social and political disturbance and without changing the basis of the Nazi system. The essential question is, of course, the retention of the Nazi Party in one or the other form. It is certain that all groups among the ruling classes realize that without a totalitarian party the home front cannot be organized and revolution cannot be prevented.(2) The revolution of 1918 demonstrated to the German army that it is incapable of providing leadership for the home front. Unless there exists a monolithic political party which wipes out opposition, incorporates every German into the totalitarian machine and makes him a willing or unwilling cog in the wheel of totalitarianism, solid support by the home front cannot be expected. The abolition of the Nazi Party therefore would be tantamount to the abdication not only of the Nazi leadership but to the complete disintegration of the German

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(1) See the decree of August 26, 1940 "On the Planned Exploitation of the Economy of the Occupied Western Territories for the German War Economy" in Die Reichsverteidigungsgesetzgebung, Vol. II, Auftragsverlagerung IV, pp. 1-7; also the text of the decree of August 15, 1941 which gave Goering authority "For the Exploitation of the Occupied Eastern Territories for the German War Economy" published in Heeresverordnungsblatt, Vol. 23, No. 50, September 5, 1941, Part C.

(2) See the memorandum of the Central European Section, "Some Remarks about the Ruling Class in Germany", II, 2, and Franz Neumann, Behemoth: The Structure and Practice of National Socialism, New York 1942, pp. 396-398.

home front, no matter whether revolutionary impulses are s trong or weak. Even if revolutionary spontaneity should be non-existent within the German people, the lack of a totalitarian "Menschenführung" would inevitably give rise to revolts, to disintegration, desertions, refusals to work and to fight. The German army's recognition of its need for the Nazi Party was reported in the dispatch from Madrid announcing the triumvirate.(1) It must therefore be expected that a political reorganization of Germany under the auspices of the ruling groups will continue the Nazi Party as a means of Menschenführung, of manipulating the masses. But it will certainly entail a change in the status of the Nazi Party within the framework of the German state.

(7) The understanding of the forthcoming changes will be facilitated by a brief discussion of the present-day structure of German political institutions. The most remarkable phenomenon is the fact that there have been but few changes in the composition of the Nazi hierarchy since 1934. With the exception of the emasculation of the SA and the assassination of Roehm, all Nazi hierarchs who held power in 1934 hold it now.(2) This is in sharp contrast to Italian Fascism where almost every year witnessed a change in leadership. But Italian Fascism had at least two institutions where political decisions could be discussed and possibly made, the Grand Council of Fascism and the Monarch with his advisers.

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(1) New York Times, August 9, 1943.
(2) Three exceptions have to be made. The death of Fritz Todt has paved the way for the rise of Albert Speer; Himmler's power has increased; and Ribbentrop has outdistanced Rosenberg in the field of foreign policy.

The Nazi constitutional system, if such word is allowed, is, in contrast, characterized by its complete formlessness, that is by an utter lack of supreme political institutions where leaders can meet, discuss and formulate plans. This shapelessness is the outcome of the merger of the offices of the president and the chancellor after Hindenberg's death. Since then the idea of the leadership state has been developed.(1) Apart from Hitler as leader, there is no supreme institution. The Reich Cabinet is not a policy making body. The Privy Cabinet Council, which is presided over by Freiherr von Neurath, is without functions. The Reichstag is overwhelmingly composed of Party officials appointed by Hitler's deputy. The Ministerial Council for the Defense of the Reich is not a representative body.

There is also no institutionalization within the Party. There are Reichsleiter in charge of the various functional departments. There are Gauleiter in charge of the major regional divisions of the Party, but there is no supreme Party institution apart from Hitler himself. Many Nazi leaders, especially Alfred Rosenberg,(2) have proposed the creation of a National Socialist Order as the supreme organ of the Reich for policy-making and regulating Hitler's succession. Such proposals have not been accepted with favor by Hitler who was apparently afraid that an institutionalization of political leadership in Germany could be used

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(1) See Neumann, op. cit., pp. 41 - 61, pp. 62 - 71, and pp. 83 - 85.
(2) Der Deutsche Ordenstaat, Munich, 1934.

as an instrument against him. He has preferred to deal with specific leaders for specific problems, to call in party, army, or industrial leaders at his pleasure, and to discuss with them whenever he felt such discussion to be necessary.

(8) This lack of institutionalization becomes especially apparent when we study the Enabling Act of March 24, 1933. The Reichstag then delegated to the Reich Cabinet the authority to enact national laws which may deviate from the constitution in so far as they do not affect the position of the Reichsrat or the powers of the president. The Reichsrat has been abolished, and the office of the president has been abolished and merged with that of the chancellor. The Enabling Act expired, after previous prolongations, on May 10, 1943. The Nazis forgot to renew it in time and theReichstag which had originally passed it did not renew it at all. Instead a Hitler Erlass (edict) was issued (1) which simply declared that the powers contained in the Enabling Act would in the future be exercised as before, with the proviso that a confirmation of the legislation may be sought from the Grossdeutsche Reichstag.

The constitution of Nazi Germany is thus summed up in the single sentence that all powers reside in Hitler and that he can do what he pleases. This is indeed what Nazi constitutional lawyers accept as the given fact.

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(1) Text from Neue Zuericher Zeitung, May 17, 1943.

(9) The second principle of the Nazi system is the supremacy of the Party over the state, by which the Nazis understand the civil service and the army.(1) According to their view, the Party is "the bearer of the political will of the state". Recent measures in the political field, especially the institution of the Reich Defense Commissars and their war economy staffs, have translated this doctrine into a political reality and have given the Gauleiter supreme power over many activities on the home front.

These two facts - the shapelessness of the German political system and the supremacy of the Party - make it impossible for the Nazi system - with or without the triumvirate - to hope for acceptance by, or to bargain successfully with the Western Powers or Russia. Unless institutional arrangements are made that allow a gradual transformation in the political system, preserving the Party organization behind a new facade and without ensuing chaos and collapse of the home front, no such negotiated peace is obtainable to them.

Second, such institutional arrangements must be made when Germany is still militarily strong. Only then can Germany offer something and only then can it maintain, at least for a time, a running political and economic system.

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(1) See Neumann, op. cit., p. 66.

(10) The appointment of the triumvirate must therefore be considered as a first step toward future political changes of much greater significance. We envisage these changes as follows. It is likely that the Reichstag will be convened. It is likely further that the offices of presidency and chancellorship will be divorced and that Hitler will assume the functions of a president while a chancellor, either a military man or a high civil servant or an outstanding banker or industrialist, will assume the functions of a chancellor. The Reichstag may also create a new institution; it may, for instance, re-establish the Reichsrat as a kind of senate or upper house composed of military, civil servants, industrialists, bankers, agrarians, and probably Catholics, and Protestant clergymen. Free elections for a new Reichstag are unlikely and even impossible since this would presuppose the restitution of some kind of civil rights which the system cannot tolerate or it would collapse due to internal disorder.

With the creation of such a Reichsrat or upper house an institution will then exist where political decisions can be discussed or even made. The Reichsrat may then appoint a new cabinet composed primarily of military and technicians (industrial and administrative). The Nazi Party will not be dissolved but will be purged and will be transformed into an organ of the state so that the relation between Party and State will be reversed.

This cabinet with its chancellor will then sue for peace. It has two bargaining points: Hitler as president and a still powerful military machine. It will offer as consideration for some kind of acceptable peace

the resignation of Hitler. Hitler may then be persuaded to step down addressing the German people in a lachrymose speech in which he explains that he sacrifices himself for the sake of the German people.

The peace offer of the new German cabinet will aim to divide the United Nations by a separate peace with either the Western Powers or with Russia (see page 2 above). If the Western Powers and Russia have not agreed upon a common policy toward Germany by the time that the Germans attempt such a peace manoeuvre, the manoeuvre may succeed in dividing the United Nations.

If the new German government should first seek a separate peace with the Western Powers (bulwarking their offer with the threat of a separate peace with Russia), the success or failure of the manoeuvre will be determined in part by the intervening developments in Italy. It is easy to foresee that if Italy should give birth to revolutionary Communist or Socialist movements threatening to overthrow the established structure of society, the receptivity of the Western Powers to such a constitutional arrangement in Germany may be considerably enhanced. Should the Western Powers be taken in by such a Nazi manoeuvre, they would thereby forfeit all influence upon German liberals and German workers, the impact of Russia on Germany would increase by leaps and bounds and the Free Germany Manifesto would become a political reality of the first order.

Gauleiter Wagner's speech to Party workers in Baden and Alsace may be considered as a psychological preparation for this. Wagner is

reputed to have said: "to have Mussolini disappear for awhile is good. Enough mischief will then be created by Red roughnecks so that the neutrals will get the wind up." He remarked that Communism is not wanted by anyone and ended by saying: "In this way we will also get the Church with us which is another good thing. The Church can still get a good peace from us."

It is of course not certain that such a reconstituted German government will sue for peace from the Allied Powers. It is as possible that it will approach Soviet Russia. The Free Germany Manifesto with its insistence on a strong German government and a strong army leaves ample leeway to the Russians to accept such proposal. The exhaustion of Russia by the war and the war weariness of the Russian people may provide a powerful stimulus to the acceptance of a German peace proposal under these conditions, the more so if the new German government should be composed of representatives who are adherents of the eastern orientation of German foreign policy.(1) The military consequences for the Western Powers of a separate Russo-German peace are obvious. The masses of the German people would feel a great relief, and the democratic opposition to Nazism would suffer a defeat from which it is not likely to recover.

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(1) See the memorandum of the Central European Section, "The Free Germany Manifesto and the German People", August 6, 1943, IV, 3.